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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,507	12/29/2000	Byoung Heon Lee	P-176	6878
34610	7590	11/24/2004	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			CHOU, ALBERT T	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/750,507

Applicant(s)

LEE, BYOUNG HEON

Examiner

Albert T. Chou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12-29-2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7 and 12-16 is/are rejected.
- 7) ☐ Claim(s) 5, 8-11, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12-29-2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 3, 4, 6, 7, 12, 13, 14, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Havinis et al. (US Patent Number: 6,295,454) hereinafter called Havinis.

3. Regarding claim 1, Havinis teaches a system, utilizing a cellular communications network (figures 3 and 4), comprising a Mobile Station MS 20 (a PCS terminal) which records and reports its location (col. 5, lines 7-10) (for detecting and storing subscriber location information), a plurality of Base Transceiver Stations BTS 24 (figure 3) for receiving location information from Mobile Station 20 (figure 3), a cellular communications network PLMN 10 (figure 3; col. 5, lines 9-15) for transmitting the location information from Mobile Station 20 through Base Transceiver Station BTS 24 (A PCS network for transmitting location information detected by the PCS terminal), a traffic information center comprising a Serving Mobile Location Center 270, a Location Application 280 and a Gateway Mobile Location Center GMLC 290 (figure 3; col. 5 lines

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9-15). (Processing and analyzing the subscriber location information transmitted through the PCS network.)

4. Regarding Claims 2 and 12, Havinis teaches (figure 4; col. 5 lines 65-67; col. 6, lines 1-3) that SIM card 250 within Mobile Station 20 stores the calculated location 298 with a time stamp 299 in a memory within the SIM card 250. (the location information consists of the location of a subscriber and the time at which the location is measured.)

5. Regarding claims 3 and 13, Havinis teaches (figures 3-4; col. 5, lines 10-16) that when LA 280 sends the position request 285 to MS 20, the request includes a reporting indicator 288, which indicates how often (PSC terminal does not transmit the user location information until a predetermined number of times is reached.) the MS 20 should report the location information.

6. Regarding claim 4, Havinis teaches (figures 3-4; col. 5, lines 16-20) the position request 285 comprising a reporting indicator 288 (the number of times of detecting location information is set according to a parameter value output from BTS) is delivered by the serving BTS 24 to MS 20.

7. Regarding claims 6 and 14, Havinis teaches (figure 4; col. 6, lines 8-16) that when the reporting logic 268 within the SIM card 250 determines that predefined time has passed, the reporting logic 268 retrieves and transmits all of the location information 298 and associated time stamps 299. (PCS terminal transmits all detected location information at once when a predetermined number is reached.)

8. Regarding claims 7, Havinis teaches a method, utilizing a cellular communications network PLNM 10 (figures 3 and 4), comprising the step (col. 5, lines

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16-20) of sending the positioning request 285, via a serving Base Transceiver Stations BTS 24, to a Mobile Station 2 (outputting a control signal from the base transceiver station to a PCS terminal), the step (col. 5, lines 7-10) of recording the location information (collecting subscriber location information), the step (col. 5, lines 7-10) of reporting the location information (transmitting the collected location information) via the serving Base Transceiver Station 24 to the cellular communications network PLNM 10 (PCS network), and the step (figures 3-4; col. 6. lines 29-36; figure 8, steps 880, 890, and 895) of forwarding the location information and time stamps to MSC 14, GMLC 290 and LA 280. (Processing the location information.)

9. Regarding claim 15, Havinis teaches (figure 3) Base Transceiver Station 24 which serves Cell 22 where Mobile Station 20 is within the area of cell coverage. (Base Transceiver provides general mobile communications call services and traffic information call services.)

10. Regarding claim 16, Havinis teaches (figures 3, 4 and col. 5, lines 10-16) that Mobile Station 20 receives the request, stores and reports the location information. (PCS terminal has general mobile communications service functions and traffic information service functions.)

***Allowable Subject Matter***

11. Claims 5, 8, 9, 10, 11, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert T. Chou whose telephone number is 571-272-6045. The examiner can normally be reached on 8:30 - 17:00.

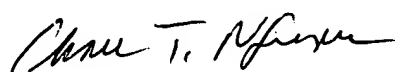
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizooou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ac

Albert Chou

November 15, 2004



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